FINDING OF NO SIGNIFICANT IMPACT

Summary: The Department of Energy Rocky Flats Project Office (DOE-RFPO) has prepared an environmental assessment (EA) (DOE/EA-1492) to modify the ponds in the North and South Walnut Creek drainages and to implement configuration changes at the Rocky Flats Environmental Technology Site (RFETS or Site) supporting closure.

For the pond configuration portion of the EA, the document analyzes the environmental effects of the Proposed Action (notch Ponds A-1, A-2, B-1, B-2, B-3, and B-4, while maintaining Ponds A-3, A-4, and B-5), an alternative action (maintain Ponds A-4 and B-5 while fully breaching Ponds A-1, A-2, A-3, B-1, B-2, B-3, and B-4), and the alternative of taking no action. For the land configuration portion of the EA, the document analyzes the environmental effects of the Proposed Action (removing asphalt from the access roads, removing parking lots, excavating soils from an area west and south of Building 371/374 to re-contour the area, and configuring the IA), and the alternative of taking no action.

The EA was the subject of a public comment period from May 3 to June 15, 2004. Written comments regarding the EA were received from the following entities:

- U.S. Environmental Protection Agency, Region VIII;
- U.S. Department of the Interior, Fish and Wildlife Service;
- U.S. Department of Homeland Security, Federal Emergency Management Agency, Region VIII;
- Colorado Department of Public Health and Environment;
- Rocky Flats Coalition of Local Governments;
- Rocky Flats Citizens Advisory Board;
- City of Westminster;
- City and County of Broomfield; and
- Ms. Anne Fenerty.

Pond Configuration – Proposed Action: The proposed action for pond configuration is to modify six ponds (Ponds A-1, A-2, B-1, B-2, B-3, and B-4) by reducing the height of the dams and therefore the size of the ponds to create a more passive, flow-through system. The action would be accomplished by constructing a notch in each of the modified dams to reduce the effective height of the dam. A "stop-log" or gate structure would be constructed to allow flexibility in pool level management. The modified dams would allow pond levels to be maintained at their "baseline" levels, thereby minimizing impacts to wetlands environments and Preble's mouse habitat.

In the proposed action, the terminal ponds (Ponds A-4 and B-5) would be maintained in their present configuration and would be continued to be operated using the batch-release protocol currently employed to manage pond discharges. Additionally, Pond A-3 would

be maintained in its present configuration allowing Pond A-4 to be isolated from additional inflow during discharge operations.

Pond Configuration – Alternatives Considered: An alternative pond configuration action considered includes maintaining the terminal ponds (as in the proposed action), but examines fully breaching each of the interior ponds (Ponds A-1, A-2, A-3, B-1, B-2, B-3, and B-4). Ponding of water would only occur at the terminal ponds, as water would be allowed to naturally flow through the interior drainages.

Additionally, a No Action Alternative was considered, where the pond system would remain in its present configuration. Interior ponds would not be notched or breached, and water management and discharge operations would continue as is currently practiced.

Pond Configuration – Environmental Effects: Most potential environmental effects will be minimal and short-term.

Under the Proposed Action, direct impacts to vegetation communities (including wetlands) will result from construction activities. However, these impacts will be short-term, as vegetation is predicted to return following construction activities. Minor loss of wetlands (approximately 1.75 acres) is predicted, as the proposed action will allow pond water levels to be maintained at their "baseline" levels. A Section 404 Individual Permit application to authorize the proposed action has been submitted to the U.S. Army Corps of Engineers and is awaiting approval. Additionally, the proposed action will have little long-term or short-term impact on most wildlife species in the project area. Impacts to threatened and endangered species (Preble's mouse) would include temporary loss of habitat, with a small amount of permanent habitat loss where the dam breach is cut and lined with riprap for erosion control, and possible direct "take". These issues have been or will be addressed through consultation with the U.S. Fish and Wildlife Service (USFWS). Water quality is not expected to be impacted by the proposed action. Air quality may be impacted by the proposed action, but these impacts will be minor and short-term. Required air pollutant emissions notices (APENs) will be obtained prior to commencing project construction activities. All other potential impacts are predicted to be minor and short-term.

Under the Alternative Action, direct impacts to vegetation communities (including wetlands) will result from construction activities. These impacts will be larger than those for the proposed action, as wetlands will be significantly impacted (over 5 acres of wetlands lost). Additionally, the proposed action may have impacts on wildlife species in the project area as a change of habitat from a series of ponds with some wetland edge to a more natural, intermittent stream with some riparian shrubland/woodland vegetation could result in a shift to a different set of wildlife species using the area after project completion. Impacts to threatened and endangered species (Preble's mouse) would include temporary loss of habitat and possible direct "take". However, the alternative action could potentially increase the amount of Preble's mouse habitat in the project area. Water quality is not expected to be impacted by the proposed action. Air quality may be impacted by the proposed action, but these impacts will be minor and short-term.

Required APENs will be obtained prior to commencing project construction activities. All other potential impacts are predicted to be minor and short-term.

The No Action Alternative would not alter the environmental conditions present in the project areas, and therefore would have no effect on environmental resources.

Land Configuration – Proposed Action: The proposed action for land configuration returns the Site to a stable and more functional configuration, including removal of asphalt from access roads, removal of parking lots, excavation of soils from an area west and south of Building 371/374 to re-contour the area, and general drainage configuration of the Industrial Area (IA). General drainage configuration includes grading of the IA, removal or abandonment of culverts and storm drains, construction of functional channels, and completion of building specific grading plans.

Land Configuration – Alternative Considered: A No Action Alternative was considered, where the Site would not be modified to a stable and more functional configuration. Asphalt from access roads would not be removed, parking lots would not be removed, soils would not be excavated for re-contouring, and the IA would not be configured to promote general drainage of stormwater.

Land Configuration – Environmental Effects: Most potential environmental effects will be minimal and short-term.

Under the Proposed Action, the long-term ecological health of the Site would be improved by reducing habitat fragmentation through the removal of access roads and parking lots. Impacts to Preble's mouse habitat would be localized and short-term. These issues have been or will be addressed through consultation with the USFWS. Water quality would generally improve, as stormwater drainage would be managed in such a way to minimize erosion of surface soils. Air quality may be impacted by the construction activities of the proposed action, but these impacts will be minor and short-term. Required APENs will be obtained prior to commencing project construction activities. All other potential impacts are predicted to be minor and short-term.

The No Action Alternative would not alter the environmental conditions present in the project areas, and therefore would have no effect on environmental resources.

For further information about this action or for copies of the EA, contact:

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Determination: Based on the information and analyses in the EA, DOE-RFPO has determined that the Proposed Actions to configure the ponds and IA at RFETS do not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, as amended. Therefore, an environmental impact statement is not required, and DOE-RFPO is issuing this Finding of No Significant Impact for the Proposed Actions.

Signed at Golden, Colorado this 19th day of October, 2004.

Frazer Lockhart
U.S. Department of Energy
Rocky Flats Project Office